

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ALICIA C. SANDOVAL, SP 2013-SU-096 Appl. under Sect(s). 8-914 and 8-923 of the Zoning Ordinance to permit accessory storage structure to remain in minimum required front yard and fence greater than 4.0 ft. in height to remain in front yard. Located at 2710 Linda Marie Dr., Oakton, 22124, on approx. 1.14 ac. of land zoned R-1 (Cluster). Sully District. Tax Map 36-2 ((5)) 106 (Concurrent with VC 2013-SU-023). (Admin. moved from 1/29/14 for ads.) Ms. Theodore moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on February 26, 2014; and

WHEREAS, the Board has made the following findings of fact:

1. The owner of the property is the applicant.
2. The present zoning is R-1, Cluster.
3. The area of the lot is 1.14 acres.
4. The subject property was acquired in good faith.
5. Similar to the tennis court and the fence from the variance, the existing shed was in place at the time of purchase.
6. The property is located on a long pipestem drive, 300-feet off of the main residential street in a heavily wooded area.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

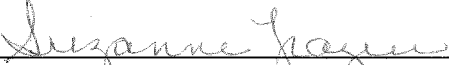
NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This special permit is granted for the accessory storage structure, shed, and 6.0 foot tall fence in the front yard as shown on the plat "Variance/Special Permit Plat, Lot 106, Section 3, Clarke's Landing" prepared by Guy H. Briggs, Land Surveyor, of Apex Surveys, dated April 29, 2013, as revised through July 29, 2013, and approved with this application, as qualified by these development conditions.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Mr. Byers seconded the motion, which carried by a vote of 6-0. Mr. Hart recused himself from the public hearing.

A Copy Teste:

  
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Suzanne Frazier, Deputy Clerk  
Board of Zoning Appeals